

1 KAMALA D. HARRIS
2 Attorney General of California
3 JANE ZACK SIMON
4 Supervising Deputy Attorney General
5 State Bar No. 116564
6 455 Golden Gate Avenue, Suite 11000
7 San Francisco, CA 94102-7004
8 Telephone: (415) 703-5544
9 Facsimile: (415) 703-5480
10 *Attorneys for Petitioner*

FILED

JUL 28 2014

Office of Administrative Hearings
By 24

7 **BEFORE THE**
8 **BOARD OF PODIATRIC MEDICINE**
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Petition for Interim
12 Suspension Order Against:

Case No. 5002014000100
OAH No.

13 **TAN DUY NGUYEN, DPM**
14 333 Estudillo Avenue, Suite A
15 San Leandro, CA 94577

INTERIM SUSPENSION ORDER

16 Podiatric Medicine License No. E3377

17 Respondent.

18 **TO TAN DUY NGUYEN, DPM:**

19 THE MEDICAL QUALITY HEARING PANEL OF THE OFFICE OF
20 ADMINISTRATIVE HEARINGS, having read and considered the Petition for Interim
21 Suspension Order, the supporting memorandum of points and authorities, and the evidence
22 submitted by the Office of the Attorney General,

23 **HEREBY ORDERS THAT** Podiatric Medicine License No. E3377, issued to Tan Duy
24 Nguyen, DPM, is immediately suspended. Pending the hearing and determination of the interim

25 ///

1 suspension order, respondent Tan Duy Nguyen, M.D., shall be and hereby is immediately
2 restrained and prohibited from:

3 (a) Practicing or attempting to practice as a doctor of podiatric medicine;

4 (b) Possessing, prescribing, dispensing, furnishing, administering or otherwise
5 distributing any controlled substance or any dangerous drug;

6 (c) Possessing or holding his doctor of podiatric medicine wall and wallet
7 certificates, any and all prescription blanks, Drug Enforcement Administration Drug
8 Order Forms, and any and all Drug Enforcement Administration permits, which
9 documents shall be surrendered by him to an investigator for the Board of Podiatric
10 Medicine pending adjudication of this matter;

11 IT IS FURTHER ORDERED that Tan Duy Nguyen, M.D. shall, upon demand,
12 turn over to an investigator for the Board of Podiatric Medicine all prescription pads and
13 prescription blanks in his possession or under his custody or control.

14 IT IS FURTHER ORDERED that respondent Tan Duy Nguyen, M.D. appear at
15 the Office of Administrative Hearings, 1515 Clay Street, Suite 206, Oakland, California, 94612
16 on the 14 day of Aug, 2014 at 9:00 a.m. for the hearing provided in Government Code section
17 11529(d).

18 The petition, memorandum of points and authorities and all supporting evidence
19 filed by the Office of the Attorney General have been served upon Tan Duy Nguyen, DPM by
20 overnight delivery at both his address of record with the Board, 333 Estudillo Avenue, Suite A,
21 San Leandro, CA 94577, and his home address, 136 Farrelly Drive, San Leandro, CA 94577.
22 This Interim Suspension Order shall be served on respondent Tan Duy Nguyen, DPM either in
23 person or by overnight delivery at both of these addresses.

1 Respondent shall file any response with the Office of Administrative Hearings
2 and shall serve any such response on petitioner through his attorney of record, Jane Zack Simon,
3 Supervising Deputy Attorney General, 455 Golden Gate Avenue, Suite 11000, San Francisco,
4 CA 94102, by 24-hour delivery service or by email (janezack.simon@doj.ca.gov) on or before
5 8/11/14, 2014.

6 Petitioner may file and serve upon respondent any reply to the response at the
7 above-noticed hearing.

8 IT IS SO ORDERED this 28 day of July, 2014.

9 *Ruth S. Asato*

10
11 ADMINISTRATIVE LAW JUDGE
12
13
14
15
16
17
18
19
20
21
22
23
24